

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---

UNITED STATES OF AMERICA,

**NOTICE OF MOTION**

-v-

PETER GERACE, JR.,

Docket No. 23-CR-99

Defendant.

---

**PLEASE TAKE NOTICE**, that upon the attached declaration of Mark A. Foti, that the defendant, Peter Gerace, Jr., will move this Court, before the Honorable Jeremiah J. McCarthy, United States Magistrate Judge, in the Hon. Robert H. Jackson United States Courthouse, 2 Niagara Square, Buffalo, New York, on submission, for an order granting a one-day extension to file: (1) Mr. Gerace's Response to the government's motion to exclude time from the Speedy Trial Act calendar [Dkt. # 123]; and (2) Mr. Gerace's *ex parte* Response to the government's motion for a protective order [Dkt. # 129]; and any other relief deemed appropriate by this Court.

Dated: June 19, 2024

Mark A. Foti, Esq.  
The Foti Law Firm, P.C.  
*Attorneys for Peter Gerace, Jr.*  
16 W Main Street, Suite 100  
Rochester, NY 14614  
Phone: (585) 461-1999  
Email: mark@fotilaw.com